

STATE OF SOUTH CAROLINA

Petition of South Carolina Electric & Gas Company for
Updates and Revisions to Schedules Related to the
Construction of a Nuclear Base Load Generation Facility
at Jenkinsville, South Carolina

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

COPY
Filed: lod
Dept: S.A.
Date: 7/27/12

DOCKET

NUMBER: 2012 - 203

2012 JUL 26 PM 4: 11
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(Please type or print)

Time: 11:07Submitted by: K. Chad BurgessSC Bar Number: 69456

Address: SCANA Corp.
220 Operation Way MC C222
Cayce, SC 29033

Telephone: 803-217-8141Fax: 803-217-7810

Other: _____

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

- ☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously
- ☐ Other: _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input checked="" type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other: <u>ok</u>	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
RETURN DATE: <u>7/26/12</u>	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	
SERVICE: <u>ok</u>			

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JUL 27 2012

PSC SC
MAIL / DMS



K. Chad Burgess
Associate General Counsel

chad.burgess@scana.com

July 26, 2012

VIA HAND DELIVERY

The Honorable Jocelyn G. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

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RE: Petition of South Carolina Electric & Gas Company for Updates and Revisions to Schedules Related to the Construction of a Nuclear Base Load Generation Facility at Jenkinsville, South Carolina
Docket No. 2012-203-E

Dear Ms. Boyd:

South Carolina Electric & Gas Company ("SCE&G") is hereby filing with the Public Service Commission of South Carolina ("Commission") one (1) copy of the direct testimony and exhibits of the following SCE&G witnesses in the above-referenced docket.

1. Kevin B. Marsh (public version of direct testimony only)
2. Stephen A. Byrne (public and confidential versions of direct testimony and exhibits)
3. Hubert C. Young, III (public version of direct testimony and exhibits only)
4. David A. Lavigne (public version of direct testimony and exhibit only)
5. Carlette L. Walker (public version of direct testimony and public and confidential versions of exhibits)

We are also enclosing a compact disc which contains an electronic version of the public version of SCE&G's direct testimony and exhibits for uploading to the Commission's Docket Management System.

(Continued . . .)

As stated above, SCE&G is filing both confidential and public versions of certain direct testimony and exhibits. The confidential versions of the direct testimony and exhibits contains confidential information related to the pricing and pricing terms of the Engineering, Procurement and Construction Agreement ("EPC Contract") between SCE&G and a consortium consisting of Westinghouse Electric Company, LLC and The Shaw Group, Inc. (collectively, "Contractor"). The EPC Contract contains confidentiality provisions that require SCE&G to protect proprietary information that the Contractor believes to constitute trade secrets and to be commercially sensitive. The direct testimony and exhibits containing this confidential information are: Direct Testimony of Stephen A. Byrne, Exhibit No. __ (SAB-2-C), Exhibit No. __ (CLW-1-C) and Exhibit No. __ (CLW-3-C). The Contractor has requested that SCE&G maintain the confidentiality of certain information contained in the testimony and exhibits. In each case, the confidential information has been redacted from the public versions of the direct testimony and exhibits, and the direct testimony and exhibits containing the confidential information have been marked as "Confidential."

In keeping with the Contractor's request and the terms of the EPC Contract, SCE&G respectfully requests that the Commission find that the Confidential Version of the Direct Testimony of Mr. Byrne as well as Exhibit No. __ (SAB-2-C), Exhibit No. __ (CLW-1-C) and Exhibit No. __ (CLW-3-C) contain protected information and issue a protective order barring the disclosure of the documents under the Freedom of Information Act, S.C. Code Ann. §§ 30-4-10 *et seq.*, S.C. Code Ann. Regs. 103-804(S)(1), or any other provision of law, except in its public form. Pursuant to 26 S.C. Code Regs. 103-804(S)(2), the determination of whether a document may be exempt from disclosure is within the Commission's discretion. Such a ruling in this instance would be consistent with the Commission's prior rulings. *See, e.g.*, Docket Nos. 2008-196-E, 2009-293-E, 2010-157-E, 2010-376-E, 2012-186-E, and 2012-203-E (ruling the pricing and pricing terms of the EPC Contract to be confidential and issuing a protective order barring the disclosure of this information).

To this end, and in accordance with Commission Order No. 2005-226, dated May 6, 2005, in Docket No. 2005-83-A, we enclose with this letter redacted Public Versions of the direct testimony and exhibits specified above, which protects from disclosure the sensitive, proprietary and commercially valuable information, while making available for public viewing non-protected information.

(Continued . . .)

Moreover, we also enclose a copy of the unredacted Confidential Versions of the following in a separate, sealed envelope.

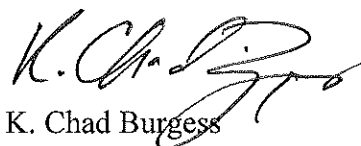
- (1) A true and correct copy of the Confidential Version of the Direct Testimony of Stephen A. Byrne, in a sealed envelope marked "CONFIDENTIAL."
- (2) A true and correct copy of the Confidential Version of Exhibit No. ____ (SAB-2-C), in a sealed envelope marked "CONFIDENTIAL."
- (3) A true and correct copy of the Confidential Version of Exhibit No. ____ (CLW-1-C), in a sealed envelope marked "CONFIDENTIAL."
- (4) A true and correct copy of the Confidential Version of Exhibit No. ____ (CLW-3-C), in a sealed envelope marked "CONFIDENTIAL."

SCE&G respectfully requests, in the event that anyone should seek disclosure of the unredacted Confidential Versions of the above-referenced direct testimony and exhibits, that the Commission notify SCE&G of such request and provide it and the Contractor with an opportunity to obtain an order from this Commission or a court of competent jurisdiction protecting the Confidential Version of these documents from disclosure.

By copy of this letter, we are also serving the other parties of record with a copy of the public versions of testimony and exhibits and attach a certificate of service to that effect.

If you have any questions regarding these matters, please do not hesitate to contact us.

Very truly yours,



K. Chad Burgess

KCB/kms
Enclosures

cc: John W. Flitter (via hand delivery)
Jeffrey M. Nelson, Esquire (via hand delivery)
Shannon Bowyer Hudson, Esquire (via hand delivery)
Courtney Dare Edwards, Esquire (via hand delivery)
Robert Guild, Esquire (via U.S. First-Class Mail)
Scott Elliott, Esquire (via U.S. First-Class Mail)
Pamela Greenlaw (via U.S. First-Class Mail)

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2012-203-E

IN RE:

Petition of South Carolina Electric & Gas)	
Company for Updates and Revisions to)	CERTIFICATE
Schedules Related to the Construction)	OF SERVICE
Of a Nuclear Base Load Generation)	
Facility as Jenkinsville, South Carolina)	
_____)	

This is to certify that I have caused to be served this day one (1) copy of South Carolina Electric & Gas Company's **Public Version of the Direct Testimony and Exhibits of Kevin B. Marsh, Stephen A. Byrne, Hubert C. Young, III, David A. Lavigne, and Carlette L. Walker** to the persons named below at the addresses and in the manner described:

Jeffrey M. Nelson, Esquire
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201
(via hand delivery)

Shannon Bowyer Hudson, Esquire
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201
(via hand delivery)

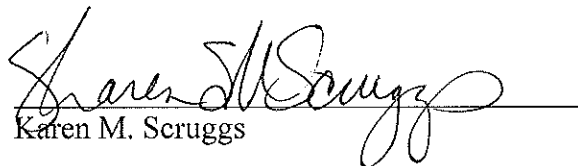
John W. Flitter
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(via U.S. First-Class Mail)


Karen M. Scruggs

Columbia, South Carolina

This 26th day of July 2012

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